

**MINUTES OF REGULAR MEETING
OF
GREENSBORO PLANNING BOARD
JULY 20, 2005**

The Greensboro Planning Board met in regular session on Wednesday, July 20, 2005 at 2:00 p.m., in the City Council Chambers, 2nd floor, Melvin Municipal Office Building. Board members present were Chair Patrick Downs, Tim Bryson, Michael Fox, Dick Hall, J.P. McIntyre and John Rhodes. Planning staff members present were Dick Hails, Planning Director, Ricky Hurley and Alec MacIntosh.

Chair Downs called the Planning Board into session.

APPROVAL OF MINUTES OF THE JUNE 15, 2005 PLANNING BOARD REGULAR MEETING.

Mr. Bryson moved approval of the minutes as written, seconded by Mr. Rhodes. The Board voted 6-0 in favor of the motion. (Ayes: Downs, Bryson, Fox, Hall, McIntyre, Rhodes. Nays: None.)

PUBLIC HEARINGS:

A. RESOLUTION CLOSING DELVIA LANE FROM SPRINGMONT DRIVE SOUTHWARD TO ITS TERMINUS, A DISTANCE OF APPROXIMATELY 100 FEET. (RECOMMENDED)

Mr. MacIntosh said this street section was dedicated in 2001 on the plat of Delvia Acres (Plat Book 143, Page 54). It has not been improved. Since the dedication, the developer has been working to devise a different location for the street running southward off Springmont Drive at a location farther west, where the topography is less steep than it is south of the end of the present Delvia Lane. That other location has been shown on a preliminary plat recently conditionally approved by the Technical Review Committee (TRC).

The street closing petition has been signed by the owner of 100% of the abutting property. There are no public water or sewer lines in this section of the street. Both the houses on the abutting lots have driveways directly onto Springmont Drive. The TRC feels circumstances here allow the City to make the two required determinations for a street closing: (1) that the closing is not contrary to the public interest and (2) that no property owner in the vicinity is deprived of reasonable means of ingress and egress. Therefore, the TRC recommended the closing.

There were no speakers at the public hearing.

Mr. Fox moved to recommend this street closing to City Council, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Downs, Bryson, Fox, Hall, McIntyre, Rhodes. Nays: None.)

B. RESOLUTION CLOSING JORDAN ROAD FROM SUMMIT AVENUE NORTHWESTWARD TO THE RAILROAD RIGHT-OF-WAY, A DISTANCE OF APPROXIMATELY 1,257 FEET. (RECOMMENDED)

Mr. MacIntosh said this street was dedicated in 1945 on the plat of Charles S. Routh and Clyde Smith (Plat Book 14, Page 12). It has not been improved ("paper street"). The right-of-way continues across

the railroad tracks and on northwestward to Glenside Drive. This street, if it ever were paved all the way from Summit Avenue to Glenside Drive, would be useful for general traffic circulation and emergency access. However, that would be extremely unlikely. No property owner is dependent upon this street for access.

The closing petition had been signed by owners of 100% of the abutting property frontage. There are no water or sewer lines running along the street, but a City sewer line does cross it. Upon closing, the City would retain a 20-foot utility easement over this line. The TRC recommended the closing.

There were no speakers at the public hearing.

Mr. Rhodes moved to recommend this street closing to City Council, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Downs, Bryson, Fox, Hall, McIntyre, Rhodes. Nays: None.)

C. RESOLUTION CLOSING WEST FLORIDA STREET FROM BRANDT STREET EASTWARD TO SOUTH HOLDEN ROAD, A DISTANCE OF APPROXIMATELY 259 FEET. (CONTINUED)

Mr. MacIntosh said this right-of-way was not recorded on a subdivision plat, but the deeds to the abutting properties mention it. It is unimproved ("paper street"). The closing petition has been signed by the owners of 100% of the abutting property frontage. Eastward from S. Holden Road, Florida Street has a continuous paved alignment all the way to E. Lee Street. West of Brandt Street it runs for four short blocks before teeing into Larson Street. Traffic on W. Florida Street bound for that four-block part turns left on S. Holden Road, then right on Brandt Street, then left back onto W. Florida Street. This is not a difficult maneuver for a car, but it is for a fire truck. Going the opposite way, traffic can go south to Center Street on any of four streets, then left to S. Holden Road, then left to the main part of W. Florida Street, then right. Going on Brandt Street to S. Holden Road would be a second choice, because you then have to angle across four lanes to go farther south to Holden's intersection with Center Street and U-turn to go back northward on S. Holden Road. The U-turn is necessary because there is now a concrete median preventing a left turn coming out of Brandt Street. There are several reasonable alternative routes to get you eastward to High Point Road.

There are no water or sewer lines in this section of the street. When the TRC discussed this closing, the members of TRC were somewhat inclined to favor the closing. However, the Fire Department is not represented at TRC, and after the TRC's meeting the Fire Department has reported to Planning staff that this section of the street, if paved, would improve response time to the area west of the requested closing.

At the public hearing, Charles Barber, 3109 Immanuel Road, said the problems noted by the Fire Department were very valid, even more so now with the new Immanuel Road/Holden Road turning lane that the City installed a few months back. He said that opening this section of W. Florida Street could very much enhance the time for response coming across S. Holden Road at the stoplight. Many of the residents in this quadrant avoid Center Street, especially in the wintertime, because of the steep hill and blind left-hand turn. People coming off Brandt Street were very hesitant about crossing lanes of high-speed traffic to make a left on Meadowview. Several concerns were brought up by the Community Watch organization, one of which was who actually obtains the property if it is closed. He is president of the Community Watch. Several persons had contacted him, saying if anything was to be done to it, it should be paved to improve the entrance and exit to the community and also the response time of emergency vehicles.

In response to a question from Mr. Hall, Mr. Barber said he was speaking both as the president of the Community Watch and for himself personally.

There was no one else present who wished to speak.

Mr. Fox asked if it would be possible to have someone in the Legal Department research who the grantor of this right-of-way was so that they could perhaps know who owned the underlying fee.

Mr. MacIntosh said, in essence, it would just be a title search to determine who has the interest currently. The normal presumption in North Carolina is that ownership splits down the middle when a dedicated street right-of-way is closed, but that presumption does not necessarily control in every case.

Mr. Hall agreed with Mr. Fox's request and thought more investigation should be made into the owner of the fee for this property. He thought this should be continued to a future meeting.

Mr. Hall moved that this street closing be continued, but that the information requested be provided to the Board and this matter be put back on the first meeting when that information is available. Mr. Fox seconded the motion.

The Board voted 6-0 in favor of the motion. (Ayes: Downs, Bryson, Fox, Hall, McIntyre, Rhodes. Nays: None.)

Mr. McIntyre recommended to the neighborhood that if they wanted some improvements there that they work with the City quickly to see if that would be feasible.

Mr. Fox asked if it would be possible to have someone from GDOT here when this was discussed at the next meeting. Mr. Hails said they would put in that request.

ANNEXATION PETITIONS:

A. ORDINANCE ANNEXING PROPERTY OF ESTATE OF RUBY LOUISE J. COLE AND TOWNSEND DEVELOPERS, LLC AT 4601 AND 4603 YANCEYVILLE STREET – 24.55-ACRE CONTIGUOUS ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated that this property abuts the primary city limits on its west and south sides, against Storrington subdivision. The western approximately three-fourths of the property is within the Comp Plan's Tier 1 Growth Area, but not the eastern part, primarily because of the anticipated cost of extending sewer service into this area. An application is due to be filed to amend the Comp Plan to place the eastern part into Tier One. There is only one house on the property now, but the property was proposed for development with 60-65 single-family houses.

There is a 12-inch water line to the south in Yanceyville Road, due to be extended up to this property by the Storrington subdivision. There will also be 6-inch water lines in streets to be stubbed to the western part of this property by Storrington. An 8-inch sewer line will be stubbed to the western part of the property. The developer would then have to extend this line, going airborne over a steep draw at its expense to serve the eastern part of the property. Fire service could be provided to this property reasonably easily. The City has just placed a temporary fire station on N. Church Street. A permanent station there is scheduled to open in 2006. The Police Department estimates that, at full build out, service can be provided with medium difficulty, with 0.61 additional officers needed. Other City

services

to this annexation would involve traveling a short distance beyond Storrington, the last development now inside the city limits on Yanceyville Road. The TRC recommended the annexation, if City Council chooses to amend the Comp Plan.

There was no one present to speak on behalf of this request.

Mr. Fox moved to recommend this annexation to City Council, subject to approval of the Comp Plan amendment, seconded by Mr. Hall. The Board voted 6-0 in favor of the motion. (Ayes: Downs, Bryson, Fox, Hall, McIntyre, Rhodes. Nays: None.)

B. ORDINANCE ANNEXING PROPERTY OF 1717 ASSOCIATES, LLC AT 1717 GUILFORD COLLEGE ROAD – 8.654-ACRE SATELLITE ANNEXATION. (RECOMMENDED)

Mr. MacIntosh said this property is about 850 feet northwest of the primary city limits. There have been three previous satellite annexations along this part of Guilford College Road. None of them directly abuts this property, but all are fairly similar to this one from a service-provision perspective. The property is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan. It is occupied by a house and is intended to become the site of a 50-unit townhouse development.

Water service is to be provided by extending a 12-inch City water line from one of the previously annexed developments. An 8-inch City sewer line runs north-south through the east side of this property. Fire service could be provided with moderate difficulty. The Police Department estimated that, at full build out, service could be provided with low difficulty. It was estimated that 0.41 additional officers would be needed to serve this area. Other City services would be provided to this annexation in the same manner as already provided to previous satellite annexations nearby. The TRC recommended the annexation.

There was no one present to speak on this request.

Mr. Rhodes moved to recommend this annexation to City Council, seconded by Mr. Hall. The Board voted 6-0 in favor of the motion. (Ayes: Downs, Bryson, Fox, Hall, McIntyre, Rhodes. Nays: None.)

ITEMS FROM THE DEPARTMENT:

A. REQUEST TO CALL A PUBLIC HEARING FOR AUGUST 17 MEETING ON CHANGING THE NAME OF THE WESTERN PORTION OF OLDE TREYBROOKE DRIVE, WHICH NOW FORMS A CONTINUAL ALIGNMENT WITH WEST ELMSLEY DRIVE, TO WEST ELMSLEY DRIVE. (PUBLIC HEARING CALLED)

Mr. MacIntosh briefly explained the reasons for the requested change.

Mr. McIntyre moved that a public hearing be called for August 17 for this street name change, seconded by Mr. Hall. The Board voted 6-0 in favor of the motion. (Ayes: Downs, Bryson, Fox, Hall, McIntyre, Rhodes. Nays: None.)

B. INFORMATION FROM DEPARTMENTS ON ANNEXATIONS AND STREET CLOSINGS.

Mr. Hails said he wanted to report that there are continuing discussions about bringing back to the Board next month or the month after an item he mentioned earlier, trying to get a more consistent way of bringing the Board input from various departments on annexations and street closings. For example, on the street closing on West Florida, the information could be presented in a consistent format in front of the Board, to include whether the current fire service out in the West Florida area was acceptable and meeting the City standards or not. They think that an important part of the context is whether an additional improvement was needed to fix a deficiency or whether it would be an upgrade to an acceptable response time, which would not be quite as high a priority. Other issues might also relate to what the population is in that area served off West Florida. They hoped to bring it to the Board in draft form to look at in the next month or two in the hope of providing more consistent context for some of those comments and, hopefully, to make them more useful to the Board.

APPROVAL OF ABSENCES:

Mr. Hall moved approval of the absences of Mr. Pike, Mr. Koonce and Mr. Marks, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Downs, Bryson, Fox, Hall, McIntyre, Rhodes. Nays: None.)

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The meeting was adjourned at 2:55 p.m.

Respectfully submitted,

Richard W. Hails, AICP
Planning Director

RWH/ts.ps